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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,679	02/11/2002	Stephen Mayo	A-71138-1/RFT/RMS/RMK	9173

7590 08/01/2005

ROBIN M. SILVA, ESQ.  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, CA 94111-4187

EXAMINER

BORIN, MICHAEL L

ART UNIT	PAPER NUMBER
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1631

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20050725

DATE MAILED:

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**Commissioner for Patents**

Amendment filed on 05/23/2005 is, again, deemed non-responsive. As was stated in the previous letter of non-responsive amendment mailed 02/23/2005, amendment filed on 11/29/2004 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive.

Applicant argues that there is only one method step difference between the previous and current set of claims, namely, the absence of the step of "identifying suitable protein" in the new claims. Examiner disagrees for the following reasons.

- 1) The claims have different objectives – "screening" vs. "identifying".
- 2) The new claims recite step of "inserting high energy rotamers" instead of previously recited step of "inserting active site domain" (albeit an additional step of inserting rotamer appears in the original claim 5). The step of "inserting active site domain" disappears from the claims. Further, while said original claim 5 addresses "rotamer" in singular, the new claim 18(b) addresses rotamers in plural.
- 3) In addition, new claims, step g), are directed to selecting candidates having "catalytic" activity, which is not the same as selecting "enzyme-like activity" in the original claims.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Borin whose telephone number is (571) 272-0713. The examiner can normally be reached on 9am-5pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel, Ph.D., can be reached on (571) 272-0718. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Borin, Ph.D. Primary Examiner Art Unit 1631

*Ardin H. Marschel* 7/26/05  
**ARDIN H. MARSCHEL**  
**SUPERVISORY PATENT EXAMINER**

S.O.O